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SOCIAL, HUMANITARIAN AND HUMAN RIGHTS QUESTIONS:
CRIME PREVENTION AND CRIMINAL JUSTICE

Report of the Commission on Crime Prevention and Criminal Justice on its third session

Addendum

Programme budget implications of draft resolution V, entitled "Strengthening the United Nations crime prevention and criminal justice programme"

Statement submitted by the Secretary-General in accordance with rule 31 of the rules of procedure of the Economic and Social Council

1. At its third session, the Commission on Crime Prevention and Criminal Justice decided to recommend to the Economic and Social Council the adoption of a draft resolution entitled "Strengthening the United Nations crime prevention and criminal justice programme" (E/1994/31, chap. I, draft resolution V). At that time, the Secretariat made an oral statement on the programme budget implications of the draft resolution.

2. Under the terms of operative paragraphs 2, 10 and 11 of draft resolution V the Economic and Social Council would:

(a) Request the Secretary-General, as a matter of urgency, to give effect to General Assembly resolutions 46/152, 47/91 and 48/103 and to Council resolutions 1992/22 and 1993/31 by strengthening the Crime Prevention and Criminal Justice Branch, by providing it with the resources required for the full implementation of its mandates and by establishing one post at the D-2 level for the United Nations crime prevention and criminal justice programme, if necessary by redeploying overall existing resources (operative paragraph 2);

(b) Request the Secretary-General to take appropriate action so that as of the fourth session of the Commission on Crime Prevention and Criminal Justice, the functions of the Secretary of the Commission could be exercised by the substantive secretariat at Vienna (operative paragraph 10);

(c) Request the Secretary-General to ensure implementation of the resolution in the context of his first performance report on the programme budget for the biennium 1994-1995, if necessary and as appropriate, through the use of the contingency fund, and to report thereon to the Commission on Crime Prevention and Criminal Justice at its fourth session (operative paragraph 11).

3. With regard to operative paragraph 2 of the draft resolution, it should be noted that the level of resources and staffing available for the programme on crime prevention and criminal justice in the current biennium have been established under sections 13 (Crime control) and 20 (Regular programme of technical cooperation) of the programme budget, which was approved by the General Assembly in resolution 48/231 of 23 December 1993, subsequent to the resolutions referred in operative paragraph 2 of the draft resolution. It is recalled in this context that by that resolution, the Assembly approved three additional Professional posts for the Crime Prevention and Criminal Justice Branch under section 13 of the programme budget and an increase of some $1 million in the resources under section 20 in order to strengthen the capacity of the Branch in providing advisory services and other technical cooperation assistance. It should also be noted that the responsibility for determining the level of resources under the programme is within the purview of the Fifth Committee of the General Assembly, in accordance with the rules of procedures of the Assembly and the existing budgetary process established by the General Assembly in resolutions 41/213 and 42/211, and reconfirmed by the General Assembly in resolution 45/248 B, section VI, whereby the Assembly (i) reaffirmed that the Fifth Committee was the appropriate Main Committee of the General Assembly entrusted with responsibilities for administrative and budgetary matters; (ii) reaffirmed also the role of the Advisory Committee on Administrative and Budgetary Questions; (iii) expressed its concern at the tendency of its substantive Committees and other intergovernmental bodies to involve themselves in administrative and budgetary matters; and (iv) invited the Secretary-General to provide all intergovernmental bodies with the required information regarding procedures for administrative and budgetary matters.

4. The request contained in operative paragraph 10 of the draft resolution will be studied. At the same time, it is recalled that the responsibility for the assignment of staff and distribution of functions within the Secretariat rests with the Secretary-General in his capacity as Chief Administrative Officer of the Organization.

5. With regard to operative paragraph 11 of the draft resolution, authorization for entering into financial commitments to be reported in the performance report and for the use of the contingency fund rests with the General Assembly. As indicated in paragraph 3 above, the level of resources approved in the programme budget for the biennium 1994-1995 for the crime prevention and criminal justice programme took into account requests for strengthening the programme.